

DETAILED ACTION

Specification

1. The amendment filed 11/30/2009 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Page 7 line 6 have been amended to include "i.e., the presence information is "pushed" to the subscribing users.". Original discloser states that information is provided "on an ongoing basis" which is a much broader term. Applicant has now introduced "Push" functionality into the claims and into the disclosure and justified it by making a statement in the remarks section (page 19, first paragraph) that "information provided on an on going basis means that the information is pushed to the client". This is new matter which was not present in the previous discloser and has been clearly introduced as an attempt to overcome the prior art being currently applied to reject the claims. This amendment is **NOT ENTERED.**

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 22 and 42 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In the most recent amendment to the independent claim 22 applicant on lines 12-13 has amended "requested presence information of the requested user are ~~provided on an on-going basis~~ pushed to said client ". In the argument section on the first paragraph of page 19 applicant states that "information provided on an on going basis means that the information is pushed to the client". Applicant's disclosure fails to describe in any way whether the information is either pushed to the client or pulled by the client, therefore the push or pull functionality is not described in applicant's specification.

4. In the most recent amendment to the independent claim 42 applicant on lines 18-19 has amended "requested presence information of the requested user are ~~provided on an on-going basis~~ pushed to said client ". In the argument section on the first paragraph of page 19 applicant states that the limitation "*information provided on an on*

going basis means that the information is pushed to the client". Applicant's disclosure fails to describe in any way whether the information is either pushed to the client or pulled by the client, therefore the push or pull functionality is not described in applicant's specification.

5. Dependent claims 5, 7, 8, 17, 19, 21-27, 29-41 and 43, 45-61 are also rejected by virtue of their dependence on claims 22 and 42 respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 7, 8, 17, 19, 21-23, 25-27, 29-43, 45-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desai et al (U.S. 6,820,204 B1) in view of Eftis et al (U.S. 7,171,473 B1) and Aravamudan et al (U.S. 6,301,609 B1).

7. To simplify the understanding of the independent claim language examiner has interpreted the claim limitations within {...} where applicable.

8. As per claims 22 & 42 Desai disclosed a method comprising receiving a subscribe presence primitive from a client of a requesting user for subscribing presence information of a requested user {a registered user requesting the presence information (I.E. any information) of another registered user} (col.3, lines 42-62) , determining if a subscription to said presence information of the requested user has been pre-authorized by the requested user {checking if the user whose presence information has been requested has authorized to release his/her presence information} (col.3, lines 63-67 & col.4,lines 1-7), if the subscription has not been pre-authorized {if not authorized}, requesting an authorization and receiving an authorize presence primitive from the requested user, and if the subscription has been authorized or pre-authorized, providing a presence primitive including presence information of the requested information to the requested user according to subscription {col.3, lines 63-67 & col.4,lines 1-7), wherein said subscription is valid for a period of time in which one or more presence primitives including requested presence information of the requested user are pushed to said client of said requesting user (col.13, lines 42-46), particularly after receiving an update presence primitive including one or more presence attribute values to be updated from said requested user (col.13,lines 39-43).

However Desai did not explicitly disclose wherein the presence primitive comprises one or more information elements including a presence information element, said presence information element comprises one or more presence attributes, the values of the

attributes indicating presence status of the requested user or a client of the requested user at the time the presence information is provided.

In the same field of endeavor Eftis disclosed wherein the presence primitive comprises one or more information elements including a presence information element, said presence information element comprises one or more presence attributes, the values of the attributes indicating presence status of the requested user or a client of the requested user at the time the presence information is provided (col.14, lines 20-57)

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated one or more presence attributes indicating the status of a user as disclosed by Eftis in the method disclosed by Desai in order to keep the track of the users on the network resulting in a robust network that portrays accurate information about the users in the network.

However neither Desai nor Eftis explicitly disclose said presence attributes are classifiable in any or more of the following: client reachability, user availability, user personal status, user or client location, and client capabilities, and wherein said values of the presence attributes have associated space and time information useable by a presence server to modify and presence attribute values or related presence attribute values in processing said primitives.

In the same field of endeavor Aravamudan disclosed that said presence attributes are classifiable in any one or more of the following: client reachability, user availability, user personal status, user or client location (col.5, lines 15-31), and client capabilities, and wherein said values of the presence attributes have associated space and time information useable by a presence server to modify and presence attribute values or related presence attribute values in processing said primitives (col.6, lines 64-67 & col.7, lines 1-20).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated classification of presence attributes as client reachability, user availability, user personal status, user or client location, and client capabilities, and wherein said values of the presence attributes have associated space and time information useable by the server to modify and presence attribute values or related presence attribute values in processing said primitives as disclosed by Aravamudan in the method disclosed by Desai and Eftis in order to provide up to date additional information regarding the status of the users resulting in a robust user friendly system.

Additionally to elaborate on the claim interpretation, the terms used in the claims such as "authorize presence primitive", "update presence primitive", "get presence primitive" and "presence info primitive" are simply message commands used to conduct respective functionalities with respect to "presence primitive" (information related to the user

profile). Also in addition, it is widely common in an electronic network environment for communications to include voice/video/data to be transmitted in the form of packets, datagrams or frames etc. For example, TCP/IP is a well-known communication protocol having a header that contains source and destination addresses along with additional fields that contain unique information about the transmitted packet.

Applicant on page 2, lines 20-21 of the specification admits and states: "a data structure including a plurality of primitives, ...". Also it is common for a data structure to have plurality of fields (primitives), which relate to specific information regarding the user for example, name, address, phone number, e-mail address etc (please see Desai, col.9, lines 1-18 & col.17, lines 43-67).

9. As per claim 7 Desai-Eftis and Aravamudan disclosed the method of claim 31, wherein the message primitive has various information elements including a message sending client identifier, message sending user identifier, and a message content type identifier (Desai, col.3, lines 42-67 and col.4, lines 44-61).

10. As per claims 23 & 43 Desai-Eftis and Aravamudan disclosed the method of claim 22, wherein said one or more information elements further include a message identifier, a transaction identifier, and an identification of the requested user and/or the requested user (Desai, col.4, lines 44-61).

11. As per claims 17 Desai-Eftis and Aravamudan disclosed the method of claim 63, wherein said presence values are associated with corresponding presence attributes classified and typed according to standard (Eftis, col.1, lines 45-54).

12. As per claim 19 Desai-Eftis and Aravamudan disclosed the method of claim 22, wherein said method is performed in a presence information management system having at least one server able to communicate with a plurality of devices, wherein a communication protocol is used between the at least one server and the plurality of devices (Desai, col.33, lines 7-28).

13. As per claim 21 Desai-Eftis and Aravamudan disclosed the method of claim 22, wherein said space and time information has validity attribute associated thereto (Desai, col.3, lines 35-67 & col.4, lines 1-67).

14. As per claims 25 & 45 Desai-Eftis and Aravamudan disclosed the method of claim 22, wherein said requesting authorization from a requested user is carried out by providing a request presence authorization primitive, said request presence authorization primitive comprises one or more information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier and a list of presence attributes whose values are to be included in the presence primitive (Desai, col.3, lines 42-67 & col.4, lines 1-5).

15. As per claims 5, 8, 26 & 46 Desai-Eftis and Aravamudan disclosed the presence information service management method of claim 22 wherein presence information is authorized by means of authorize primitive comprises one or more information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier, and a list of presence attributes whose values are to be included in the presence primitive (Desai, col.3, lines 42-67 & col.4, lines 1-5).

16. As per claims 27 & 47 Desai-Eftis and Aravamudan disclosed the method of claim 26 wherein said authorize presence primitive further comprises a group identifier if the authorization is related to a group (Eftis, col.4, lines 40-52).

17. As per claim 48 Desai-Eftis and Aravamudan disclosed the method of claim 42, wherein a buddy list user maintains one or more buddy lists on a server for sending messages to one or more recipient users separately or to every user on a buddy list through the server, wherein the recipient users are not necessarily aware of the buddy list and cannot refer to the buddy list with any replies they make, and said buddy list user maintaining one or more buddy lists on said server is able to access presence information of one or more users on the buddy list (Eftis, col.14, lines 20-57)

18. As per claims 29 & 49 Desai-Eftis and Aravamudan disclosed the method of claim 22, further comprising receiving join group primitives from member users joining a private user group, by presence primitives indicative of presence information of member

users of said private user group to each member user upon joining said private user group but not after departing, and by providing group left primitives indicative of departed member users to remaining private user group member users upon receipt of leave group primitives indicative of said departing member users (Eftis, col.14, lines 20-57)

19. As per claims 30 & 50 Desai-Eftis and Aravamudan disclosed the method of claim 29, wherein member users are joined by said step of joining only if said join group message is preceded by a step of providing an invitation to join primitive to said joining member user (Eftis, col.14, lines 20-57).

20. As per claims 31 & 51 Desai-Eftis and Aravamudan disclosed the method of claim 22, further comprising receiving a create group primitive from a member user creating a user group, said create group primitive having information elements indicative of identification of a client used by the member user creating the user group, identification of the member user creating the user group, and a list of other member users of the user group, providing a group information primitive to the other member users indicative of establishment of the user group and selected group information, and by permitting member users of the user group to interchange message primitives (Eftis, col.14, lines 20-57).

21. As per claims 32 & 52 Desai-Eftis and Aravamudan disclosed the method of claim 31, further comprising receiving a request for group information from a requesting member user of the user group, and reporting to the requesting member user with a group information primitive indicative of the selected group information (Desai, col.3, lines 42-67 & col.4, lines 1-5).

22. As per claims 33 & 53 Desai-Eftis and Aravamudan disclosed the method of claim 31, further comprising: receiving a modify group primitive from a requesting member user of the user group, and providing a group information primitive indicative of modified group information of the user group to the requesting member user (Desai, col.3, lines 42-67 & col.4, lines 1-5).

23. As per claims 34 & 54 Desai-Eftis and Aravamudan disclosed the method of claim 31, further comprising receiving a request to delete group primitive from a requesting member user of the user group, and by providing a status primitive indicative of disestablishment of said user group to the member users of the user group (Desai, col.3, lines 42-67 & col.4, lines 1-5).

24. As per claims 35 & 55 Desai-Eftis and Aravamudan disclosed the method of claim 22, further comprising receiving a store content primitive from a storing user and storing any content conveyed in a content information element of said store content primitive along with or according to one or more information elements of said store

content primitive, said one or more information elements identifying a store transaction, a storing user, a storing client used by said storing user, a group, properties of said content, and a header of said content, providing a content information primitive to member users in said group, said content information primitive having information elements identifying said content information primitive, said store transaction, and said header, receiving a get content information primitive from a retrieving user in said group said content information primitive having information elements identifying said get content primitive, a retrieval transaction, the retrieving user, a retrieving client used by said retrieving user, and said group, and providing a receive content primitive to said retrieving user said content information primitive having information elements identifying said receive content primitive, said retrieval transaction, said group, said content, said header of said content, and an information element containing content for sharing among said member users of said group (Desai, col.3, lines 42-67, col.4, lines 1-5 & col.8, lines 42-67).

25. As per claims 36 & 56 Desai-Eftis and Aravamudan disclosed the method of claim 35, further comprising: receiving a delete content primitive from a deleting user having information elements identifying said delete content primitive, a delete transaction, the deleting user, a deleting client used by said deleting user, said group, and content for deletion, and deleting said content (Desai, col.24, lines 3-19).

26. As per claims 37 & 57 Desai-Eftis and Aravamudan disclosed the method of claim 22, further comprising: providing a content information primitive to a notified user, said content information primitive having information elements identifying said content information primitive, a store transaction, and a header, receiving a get content information primitive from said notified user, said content information primitive having information elements identifying said get content primitive, a retrieval transaction, and said notified user, and providing a receive content primitive to said notified client user, said content information primitive having information elements identifying said receive content primitive, said retrieval transaction, said header, and having an information element containing a content (Desai, col.3, lines 42-67 & col.4, lines 1-5)

27. As per claims 38 & 58 Desai-Eftis and Aravamudan disclosed the method of claim 22 further comprising: receiving a store shared content primitive from a storing user, said store shared content primitive comprising one or more information elements including an information element containing said shared content, and information elements identifying said store content primitive, a store transaction, the storing user and a header, storing said shared content in the response to the store shared content primitive (Desai, col.3, lines 35-67 & col.4, lines 1-67).

28. As per claims 39 & 59 Desai-Eftis and Aravamudan disclosed the method of claim 38 further comprising: receiving a delete content primitive from a deleting user, said delete content primitive comprising one or more information elements identifying

said delete content primitive, a delete transaction, the deleting user and a content for deletion, and deleting said content wherein in response to the delete content primitive (Desai, col.24, lines 3-19).

29. As per claims 40 & 60 Desai-Eftis and Aravamudan disclosed the method of claim 22, further comprising an exception management method for use in exception handling of a transaction by a user or server in responding to a request by said server or said user, respectively, said exception management method comprising: providing a status primitive in said responding to said request for indicating success or failure of said transaction as well as further information contained in information elements of said status primitive, and receiving said status primitive in said requesting server or said requesting user for recognizing said indication of success or failure (Eftis, col.14, lines 20-57).

30. As per claims 41 & 61 Desai-Eftis and Aravamudan disclosed the method of claim 40, wherein said information elements include a message identifier, a transaction identifier, and a status value indicative of said success or failure (Eftis, col.14, lines 20-57).

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

32. Claims 5, 7, 8, 17, 19, 21-23, 25-27, 29-43, 45-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desai et al (U.S. 6,820,204 B1) in view of Tornabene et al (U.S. Pub. No. 2002/0023132 A1).

33. To simplify the understanding of the claim language examiner has interpreted the claim limitations within {...} where applicable.

34. As per claims 22 & 42 Desai disclosed a method comprising receiving a subscribe presence primitive from a client of a requesting user for subscribing presence information of a requested user {a registered user requesting the presence information of another registered user} (col.3, lines 42-62) , determining if a subscription to said presence information of the requested user has been pre-authorized by the requested user {checking if the user whose presence information has been requested has authorized to release his/her presence information} (col.3, lines 63-67 & col.4, lines 1-7), if the subscription has not been pre-authorized {if not authorized}, requesting an authorization and receiving an authorize presence primitive from the requested user, and if the subscription has been authorized or pre-authorized, providing a presence

primitive including presence information of the requested information to the requested user according to subscription (col.3, lines 63-67 & col.4,lines 1-7), wherein said subscription is valid for a period of time in which one or more presence primitives including requested presence information of the requested user are pushed to said client of said requesting user (col.13, lines 42-46), particularly after receiving an update presence primitive including one or more presence attribute values to be updated from said requested user (col.13,lines 39-43).

However Desai did not explicitly disclose the level of detail wherein the presence primitive comprises one or more information elements including a presence information element, said presence information element comprises one or more presence attributes, the values of the attributes indicating presence status of the requested user or a client of the requested user at the time the presence information is provided said presence attributes are classifiable in any or more of the following: client reachability, user availability, user personal status, user or client location, and client capabilities, and wherein said values of the presence attributes have associated space and time information useable by a presence server to modify said presence attribute values or related presence attribute values in processing said primitives.

In the same field of endeavor Tornabene disclosed wherein the presence primitive comprises one or more information elements including a presence information element, said presence information element comprises one or more presence attributes, the

values of the attributes indicating presence status of the requested user or a client of the requested user at the time the presence information is provided (Page 11, lines 15-23 & page 12 lines 1-3 of the Tornabene's provisional application 60/189973 filed March 17, 2000).

Once a connection to the IM server 516 has been established, the client system 502 may use an installed IM client application to directly or indirectly transmit data to and access content from the IM server 516 and an associated domain server 518. The IM server 516 supports the fundamental instant messaging services and the domain sever 518 may support associated services, such as, for example, administrative matters, directory services, chat and interest groups. In general, the purpose of the domain server 518 is to lighten the load placed on the IM server 516 by assuming responsibility for some of the services within the IM host complex 512. By accessing the IM server 516 and/or the domain server 518, a subscriber can use the IM client application to view whether particular subscribers ("buddies") are online, exchange instant messages with particular subscribers, participate in group chat rooms, trade files such as pictures, invitations or documents, find other subscribers with similar interests, get customized news and stock quotes, and search the Web.

said presence attributes are classifiable in any or more of the following: client reachability, user availability, user personal status, user or client location (paragraph. 63), and client capabilities (paragraph.84), and wherein said values of the presence attributes have associated space and time information useable by a presence server to modify and presence attribute values or related presence attribute values in processing said primitives (paragraph.6).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated one or more presence attributes indicating the status of a user as disclosed by Tornabene in the method as disclosed by Desai in order to keep the track of the users on the network resulting in a robust network that portrays accurate information about the users in the network.

Additionally to elaborate on the claim interpretation, the terms used in the claims such as "authorize presence primitive", "update presence primitive", "get presence primitive" and "presence info primitive" are simply message commands used to conduct respective functionalities with respect to "presence primitive" (information related to the user profile). Also in addition, it is widely common for communications (to include voice/video/data) in an electronic network environment to be transmitted in the form of packets, datagrams or frames etc. For example, TCP/IP is a well-known communication protocol having a header that contains source and destination addresses along with additional fields that contain unique information about the transmitted packet.

Applicant on page 2, lines 20-21 of the specification states: "a data structure including a plurality of primitives, ...". Also it is common for a data structure to have plurality of fields (primitives), which relate to specific information regarding the user for example, name, address, phone number, e-mail address etc (please see Desai, col.9, lines 1-18 & col.17, lines 43-67).

35. As per claim 7 Desai-Eftis and Aravamudan disclosed the method of claim 31, wherein the message primitive has various information elements including a message sending client identifier, message sending user identifier, and a message content type identifier (Desai, col.3, lines 42-67 and col.4, lines 44-61).

36. As per claims 23 & 43 Desai-Tornabene disclosed the method of claim 22, wherein said one or more information elements further include a message identifier, a transaction identifier, and an identification of the requested user and/or the requested user (Desai, col.4, lines 44-61).

37. As per claims 17 Desai-Tornabene disclosed the method of claim 63, wherein said presence values are associated with corresponding presence attributes classified and typed according to standard (Page 11, lines 15-23 & page 12 lines 1-3 of the Tornabene's provisional application 60/189973 filed March 17, 2000).

38. As per claim 19 Desai-Tornabene disclosed the method of claim 22, wherein said method is performed in a presence information management system having at least one server able to communicate with a plurality of devices, wherein a communication protocol is used between the at least one server and the plurality of devices (Desai, col.33, lines 7-28).

39. As per claim 21 Desai-Eftis and Aravamudan disclosed the method of claim 22, wherein said space and time information has validity attribute associated thereto (Desai, col.3, lines 35-67 & col.4, lines 1-67).

40. As per claims 25 & 45 Desai-Tornabene disclosed the method of claim 22, wherein said requesting authorization from a requested user is carried out by providing a request presence authorization primitive, said request presence authorization primitive comprises one or more information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier and a list of presence attributes whose values are to be included in the presence primitive (Desai, col.3, lines 42-67 & col.4, lines 1-5).

41. As per claims 5, 8, 26 & 46 Desai-Tornabene disclosed the presence information service management method of claim 22 wherein presence information is authorized by means of authorize primitive comprises one or more information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier, and a list of presence attributes whose values are to be included in the presence primitive (Desai, col.3, lines 42-67 & col.4, lines 1-5).

42. As per claims 27 & 47 Desai-Tornabene disclosed the method of claim 26 wherein said authorize presence primitive further comprises a group identifier if the

authorization is related to a group (Page 11, lines 15-23 & page 12 lines 1-3 of the Tornabene's provisional application 60/189973 filed March 17, 2000).

43. As per claim 48 Desai-Tornabene disclosed the method of claim 42, wherein a buddy list user maintains one or more buddy lists on a server for sending messages to one or more recipient users separately or to every user on a buddy list through the server, wherein the recipient users are not necessarily aware of the buddy list and cannot refer to the buddy list with any replies they make, and said buddy list user maintaining one or more buddy lists on said server is able to access presence information of one or more users on the buddy list (Tornabene, paragraphs.84 & 86)

44. As per claims 29 & 49 Desai-Tornabene disclosed the method of claim 22, further comprising receiving join group primitives from member users joining a private user group, by presence primitives indicative of presence information of member users of said private user group to each member user upon joining said private user group but not after departing, and by providing group left primitives indicative of departed member users to remaining private user group member users upon receipt of leave group primitives indicative of said departing member users (Tornabene, paragraphs.76 & 85)

45. As per claims 30 & 50 Desai-Tornabene disclosed the method of claim 29, wherein member users are joined by said step of joining only if said join group message

is preceded by a step of providing an invitation to join primitive to said joining member user (Tornabene, paragraphs.76 & 85).

46. As per claims 31 & 51 Desai-Tornabene disclosed the method of claim 22, further comprising receiving a create group primitive from a member user creating a user group, said create group primitive having information elements indicative of identification of a client used by the member user creating the user group, identification of the member user creating the user group, and a list of other member users of the user group, providing a group information primitive to the other member users indicative of establishment of the user group and selected group information, and by permitting member users of the user group to interchange message primitives (Tornabene, paragraphs.58, 76 & 85).

47. As per claims 32 & 52 Desai-Tornabene disclosed the method of claim 31, further comprising receiving a request for group information from a requesting member user of the user group, and reporting to the requesting member user with a group information primitive indicative of the selected group information (Desai, col.3, lines 42-67 & col.4, lines 1-5).

48. As per claims 33 & 53 Desai-Tornabene disclosed the method of claim 31, further comprising: receiving a modify group primitive from a requesting member user

of the user group, and providing a group information primitive indicative of modified group information of the user group to the requesting member user (Desai, col.3, lines 42-67 & col.4, lines 1-5).

49. As per claims 34 & 54 Desai-Tornabene disclosed the method of claim 31, further comprising receiving a request to delete group primitive from a requesting member user of the user group, and by providing a status primitive indicative of disestablishment of said user group to the member users of the user group (Desai, col.3, lines 42-67 & col.4, lines 1-5).

50. As per claims 35 & 55 Desai-Tornabene disclosed the method of claim 22, further comprising receiving a store content primitive from a storing user and storing any content conveyed in a content information element of said store content primitive along with or according to one or more information elements of said store content primitive, said one or more information elements identifying a store transaction, a storing user, a storing client used by said storing user, a group, properties of said content, and a header of said content, providing a content information primitive to member users in said group, said content information primitive having information elements identifying said content information primitive, said store transaction, and said header, receiving a get content information primitive from a retrieving user in said group said content information primitive having information elements identifying said get content primitive, a retrieval transaction, the retrieving user, a retrieving client used by said retrieving user,

and said group, and providing a receive content primitive to said retrieving user said content information primitive having information elements identifying said receive content primitive, said retrieval transaction, said group, said content, said header of said content, and an information element containing content for sharing among said member users of said group (Desai, col.3, lines 42-67, col.4, lines 1-5 & col.8, lines 42-67)

51. As per claims 36 & 56 Desai-Tornabene disclosed the method of claim 35, further comprising: receiving a delete content primitive from a deleting user having information elements identifying said delete content primitive, a delete transaction, the deleting user, a deleting client used by said deleting user, said group, and content for deletion, and deleting said content (Desai, col.24, lines 3-19).

52. As per claims 37 & 57 Desai-Tornabene disclosed the method of claim 22, further comprising: providing a content information primitive to a notified user, said content information primitive having information elements identifying said content information primitive, a store transaction, and a header, receiving a get content information primitive from said notified user, said content information primitive having information elements identifying said get content primitive, a retrieval transaction, and said notified user, and providing a receive content primitive to said notified client user, said content information primitive having information elements identifying said receive content primitive, said retrieval transaction, said header, and having an information element containing a content (Desai, col.3, lines 42-67 & col.4, lines 1-5)

53. As per claims 38 & 58 Desai-Tornabene disclosed the method of claim 22 further comprising: receiving a store shared content primitive from a storing user, said store shared content primitive comprising one or more information elements including an information element containing said shared content, and information elements identifying said store content primitive, a store transaction, the storing user and a header, storing said shared content in the response to the store shared content primitive (Desai, col.3, lines 35-67 & col.4, lines 1-67).

54. As per claims 39 & 59 Desai-Tornabene disclosed the method of claim 38 further comprising: receiving a delete content primitive from a deleting user, said delete content primitive comprising one or more information elements identifying said delete content primitive, a delete transaction, the deleting user and a content for deletion, and deleting said content wherein in response to the delete content primitive (Desai, col.24, lines 3-19).

55. As per claims 40 & 60 Desai-Tornabene disclosed the method of claim 22, further comprising an exception management method for use in exception handling of a transaction by a user or server in responding to a request by said server or said user, respectively, said exception management method comprising: providing a status primitive in said responding to said request for indicating success or failure of said transaction as well as further information contained in information elements of said

status primitive, and receiving said status primitive in said requesting server or said requesting user for recognizing said indication of success or failure (Tornabene, 76 and Page 11, lines 15-23 & page 12 lines 1-3 of the Tornabene's provisional application 60/189973 filed March 17, 2000).

56. As per claims 41 & 61 Desai-Tornabene disclosed the method of claim 40, wherein said information elements include a message identifier, a transaction identifier, and a status value indicative of said success or failure (Tornabene, paragraph. 76 and Page 11, lines 15-23 & page 12 lines 1-3 of the Tornabene's provisional application 60/189973 filed March 17, 2000).

Response to Arguments

Applicant's arguments filed 11/30/2009 have been fully considered but they are not persuasive.

First Set: 35 U.S.C. 103(a) over Desai, Eftis and Aravamudan

Applicant's entire augment is based on "PUSH" vs "PULL" functionality. Applicant on page 18 argued that information in Desai is "pulled", not "pushed" (Push functionality specifically introduced in the newly amend claims and the specification) from the information exchange server and on the first paragraph of page 19 stated that "information provided on an on going basis means that the information is pushed to the client".

As to the above argument, as a result of recent amendment regarding "PUSH" functionality in the claims and specification examiner has cited 112 first rejection and denied entry of the newly amended specification. Additionally, examiner notes that it is inappropriate to make up a specialized meaning (i.e., "the information is pushed to the client") of a generalized functionality (i.e. "information provided on an on going basis to the client) and at the same introduce that specialized meaning into the claims and disclosure at this stage of prosecution.

Applicant's originally filed disclosure gives the impression that once the information is requested by the user then it is provided to the user by the information system and the claim language is silent W.R.T whether the requested information is "pulled" or "pushed". Therefore the "push"& "pull" argument is irrelevant to the claim language. Additionally examiner has cited the col.13, lines 39-46) of Desai to address the on-going access to presence information in the rejection above.

57. Applicant on page 19 further attempted justify the presence of "PUSH" functionality by pointing the original discloser for support. Applicant stated that the original discloser recites "authorization may also be done autonomously..." and argues that "Autonomously means done without request I.E. automatically, or "pushed".

Again applicant has conveniently interpreted a generalized functionality to a specialized functionality. As to above argument while examiner absolutely agrees with the definition

that "Autonomously means done without request I.E. automatically". **However the word "autonomous" has broad meaning and cannot specifically mean that an autonomous function constitutes to information being "Pushed" because it was true than what word should be used in a scenario if the information was "Pulled"?**

Second Set: 35 U.S.C. 103(a) over Desai, Turnabene

58. Applicant's arguments filed 11/30/2009 have been fully considered but they are not persuasive.

59. Applicant again questioned the provisional filing date of Turnabene and argued that it fails to teach whether the online/offline status may be presented with additional information (i.e., any one or more of status information) .

As to applicant's argument examiner has cited excerpts from Tornabene's provisional application 60/189973 filed March 17, 2000 which is a valid prior art. Turnebene sufficiently discloses the online/offline status with respect the limitation as claimed on the last paragraph of page 11 and page 21 titled FEATURES of Tornabene's provisional application 60/189973 filed March 17, 2000).

60. Applicant on page 21 alleged that Turnabene's provisional disclosure failed to disclose the "client capabilities" teachings of paragraph 84 cited in the rejection.

As to applicant's argument Turnabene's provisional application 60/189973 filed March 17, 2000 on page 11 last two lines of paragraph and first paragraph page 12 disclose showing client capabilities such as being available online to communicate with others, trade files such as picture, invitations or documents etc.

61. When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jacoby, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference relies to some extent on knowledge of persons skilled in the art to complement that is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

62. **Finally by reading the claim language of the independent claims it is apparent that this claim language is focused on a generic aspect of registration of users on a server that provides information exchange services (e.g. collaboration, chat room, contact management etc) for a group of users. Additionally, in conjunction to this system, functions such as subscription, registration, level of access to information and availability etc that are being claimed which are commonly used and practiced and are therefore not novel.**

The invention not novel and hence not patentable as currently claimed.

Conclusion

Examiner's notes: Examiner has cited particular columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

63. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./
Examiner, Art Unit 2443

/Tonia LM Dollinger/
Supervisory Patent Examiner, Art Unit 2443